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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15
 16 ALLSTATE INSURANCE COMPANY,
 ALLSTATE PROPERTY & CASUALTY
 17 INSURANCE COMPANY, ALLSTATE
 INDEMNITY COMPANY, and ALLSTATE
 18 FIRE & CASUALTY INSURANCE
 COMPANY,

19
 20 Plaintiffs,

21 v.

22 RUSSELL J. SHAH, MD, DIPTI R. SHAH,
 MD, RUSSELL J. SHAH, MD, LTD., DIPTI
 23 R. SHAH, MD, LTD., and RADAR
 MEDICAL GROUP, LLP dba UNIVERSITY
 24 URGENT CARE, DOES 1-100, and ROES
 101-200,

25 Defendants.

26
 27 AND RELATED CLAIMS
 28

CASE NO. 2:15-cv-01786-APG-CWH

**STIPULATION TO INCLUDE
 BERTOLDO BAKER CARTER & SMITH
 INTO THE STIPULATED
 CONFIDENTIALITY AND PROTECTIVE
 ORDER (ECF NO. 39) FOR THE
 DISCLOSURE OF DOCUMENTS
 PURSUANT TO F.R.C.P. 45 SUBPOENA**

1 Plaintiffs/Counter-defendants ALLSTATE INSURANCE COMPANY, ALLSTATE
2 PROPERTY & CASUALTY INSURANCE COMPANY, ALLSTATE INDEMNITY COMPANY,
3 and ALLSTATE FIRE & CASUALTY COMPANY (collectively referred to as the "Plaintiffs"), and
4 the law firm of BERTOLDO BAKER CARTER & SMITH (non-party herein after referred to as
5 "BBC&S") hereby stipulate and agree as follows:

6 1. Plaintiffs served BBC&S with a subpoena pursuant to F.R.C.P. 45 for the production of
7 documents regarding communications and payments made by and between Law Firm and the
8 Defendants during BBC&S's representation of certain clients in personal injury claims for which
9 Plaintiffs paid on settlement on behalf of Plaintiffs' insureds.

10 2. BBC&S provided a written objection to the Rule 45 subpoena.

11 3. BBC&S is aware that Plaintiffs have subpoenaed several law firms seeking the same
12 type of information pursuant to Rule 45 in this case, as well as a companion sister-lawsuit *Allstate v.*
13 *Belsky, et. al. Case No. 2:15-cv-00065-MMD-CWH ("Belsky")*.

14 4. BBC&S understands that this Court presides over both the instant matter as well as the
15 *Belsky* matter, and that this Court has ruled consistently in both these cases and ordered other law
16 firms to produce the same type of documents request of BBC&S.

17 5. A stipulated confidentiality and protective order in this case entered between Plaintiffs
18 and Defendants for the disclosure of confidential, sensitive or other protected information was
19 approved by this Court on May 20, 2016. (ECF No. 39).

20 6. BBC&S was not a party to the stipulated confidentiality and protective order. (ECF No.
21 39).

22 7. In ordering compliance with Plaintiffs' subpoenas to other law firms, this Court also
23 ordered that the confidentiality and protective order (ECF No. 39) be applied to those law firms.

24 8. In accordance with this Court's prior rulings both in this action and in the *Belsky*
25 matter, the parties hereby stipulate and agree that the protections and scope articulated in the
26 Stipulated Confidentiality and Protective Order approved by this Court on May 20, 2016. (ECF No.
27 39) be extended in their entirety to cover BBC&S in its compliance with Plaintiffs' subpoena.

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9. BBC&S will produce all documents responsive to the subpoena within ten (10) days of approval and entry of this Order by the Court.

IT IS SO STIPULATED.

Dated: 1/4/19

Dated:

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

BERTOLDO BAKER CARTER & SMITH

By: 

By: 

DYLAN P. TODD, ESQ.

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702-228-2600

ORDER

IT IS SO ORDERED.

DATED this 14 day of January 2019.


UNITED STATES MAGISTRATE JUDGE

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